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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,698	01/14/2002	Alexander Zorba	05222.00151	3253

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BANNER & WITCOFF AND ATTORNEYS FOR ACCENTURE  
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EXAMINER

TRAN, MAI T

ART UNIT PAPER NUMBER

2129

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/868,698		ZORBA ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Mai T. Tran		2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This Office Action is responsive to the Request for Continued Examination (RCE) under 37 CFR §1.114 of application 09/868698, filed January 14, 2002, wherein claims 1, 10, 19, and 20 have been amended. Claims **1-20** remain pending in the application and which have been fully considered by the examiner.

### **INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement filed February 7, 2002 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Applicants stated "due to the large number of references and large number of related applications, applicants file a single copy of all of the references in U. S. Patent Application Serial No. 09/219,478 in an Information Disclosure Statement filed February 7, 2002". Examiner has reviewed U. S. Patent Application No. 09/219,478 and finds numerous references listed in form 1449 were missing. Therefore, they are not considered. Applicants are suggested to resubmit the missing references if applicants wish to make them of record.

### **SPECIFICATION**

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed

Art Unit: 2129

150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### **CLAIM OBJECTIONS**

Claims 1-20 are objected to because of the following informalities: the faxed copy of the listing of claims is not legible. Appropriate correction is required.

### **CLAIM REJECTIONS - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loftin et al, U. S. Patent No. 5,311,422, hereinafter Loftin, and further in view of "Accounting and Financial Fundamentals for Non Financial Executives" by Robert Rachlin et al, hereinafter Rachlin.

**Claim 1**

Loftin discloses an intelligent computer-aided training system for use in a wide variety of training tasks and environments,

a method for creating a presentation, comprising the steps of:

- (a) receiving an accounting goal (col. 6, lines 46-52);
- (b) partitioning feedback into a plurality of feedback levels, each feedback level corresponding to a severity level of a response error, the feedback being associated with the accounting goal (col. 13, lines 54-68, col. 14, lines 1-18. Examiner interprets *appropriate error messages* as plurality of feedback levels);
- (c) querying a student to determine characteristics of the student (col. 14, lines 48-61);
- (d) integrating information based on the characteristics of the student that motivates accomplishment of the accounting goal (col. 16, lines 23-25);
- (e) evaluating progress toward the goal (col. 6, lines 55-59) and providing an appropriate level of feedback (col. 14, lines 8-9) that further motivates accomplishment of the accounting goal (col. 6, lines 55-59), the appropriate level of feedback being selected from the plurality of feedback levels based on an error severity of an associated response from the student (col. 14, lines 8-16); and
- (f) dynamically adjusting a selected level of feedback based on the progress of the student toward the accounting goal (col. 14, lines 23-38).

**Claim 9**

A method for creating an accounting goal based presentation as recited in claim 1, including the step of adjusting an example based on student progress (col. 10, lines 7-15).

**Claim 10**

An apparatus that creates a presentation, comprising:

- (a) a processor. Official notice is taken that processor or Central Processing Unit is the brain of the computer;
- (b) a memory that stores information under the control of the processor. Official notice is taken that every computer comes with a certain amount of memory;
- (c) logic that receives an accounting goal (col. 6, lines 46-52);
- (d) logic that partitions feedback into a plurality of feedback levels, each feedback level corresponding to a severity level of a response error, the feedback being associated with the accounting goal (col. 13, lines 54-68, col. 14, lines 1-18. Examiner interprets *appropriate error messages* as plurality of feedback levels);
- (e) logic that queries a student to determine characteristics of the student (col. 14, lines 48-61);
- (f) logic that integrates information based on the characteristics of the student that motivates accomplishment of the accounting goal (col. 16, lines 23-25);
- (g) logic that evaluates progress toward the goal (col. 6, lines 55-59) and provides an appropriate level of feedback (col. 14, lines 8-9) that further motivates accomplishment of the accounting goal (col. 6, lines 55-59), the appropriate level of feedback being

selected from the plurality of feedback levels based on an error severity of an associated response from the student (col. 14, lines 8-16); and

- (h) logic that dynamically adjusts a selected level of feedback based on the progress of the student toward the accounting goal (col. 14, lines 23-38).

**Claim 18**

An apparatus that creates a presentation as recited in claim 10, including logic to adjust an example based on student progress (col. 10, lines 7-15).

**Claim 19**

A computer-readable medium for creating a presentation and having computer-executable instructions to perform the steps comprising:

- (a) receiving an accounting goal (col. 6, lines 46-52);
- (b) partitioning feedback into a plurality of feedback levels, each feedback level corresponding to a severity level of a response error, the feedback being associated with the accounting goal (col. 13, lines 54-68, col. 14, lines 1-18. Examiner interprets *appropriate error messages* as plurality of feedback levels);
- (c) querying a student to determine characteristics of the student (col. 14, lines 48-61);
- (d) integrating information based on the characteristics of the student that motivates accomplishment of the accounting goal (col. 16, lines 23-25);
- (e) evaluating progress toward the goal and providing an appropriate level of feedback (col. 14, lines 8-9) that further motivates accomplishment of the accounting goal (col. 6, lines 55-59), the appropriate level of feedback being selected from the plurality of feedback

levels based on an error severity of an associated response from the student (col. 14, lines 8-16); and

- (f) dynamically adjusting a selected level of feedback based on the progress of the student toward the accounting goal (col. 14, lines 23-38).

**Claim 20**

The computer-readable medium of claim 19, containing further computer-executable instructions for:

- (g) monitoring answers to questions posed to evaluate the progress toward the accounting goal (col. 14, lines 35-38); and
- (h) generating individualized coaching messages that further motivate accomplishment of the accounting goal (col. 14, lines 7-9).

Loftin fails to particularly call for an accounting goal based presentation, as specified in claims 1, 10 and 19; debit processing material being integrated into the presentation, as specified in claims 2 and 11; credit processing material being integrated into a presentation, as specified in claims 3 and 12; closing material being integrated into a presentation, as specified in claims 4 and 13; ledger processing material being integrated into a presentation, as specified in claims 5 and 14; t-account processing material being integrated into a presentation, as specified in claims 6 and 15; multiple account processing material being integrated into a presentation, as specified in claims 7 and 16; and asset processing material being integrated into a presentation, as specified in claims 8 and 17.

Rachlin teaches the basic accounting and financial concepts calling for an accounting goal based presentation (page ix, line 5), as specified in claim 1; debit processing



Art Unit: 2129

material is integrated into the presentation (page 65, line 15) , as specified in claim 2; credit processing material is integrated into the presentation (page 65, line 16), as specified in claim 3; closing material is integrated into the presentation (page 71, line 11), as specified in claim 4; ledger processing material is integrated into the presentation (page 70, line 11), as specified in claim 5; t-account processing material is integrated into the presentation (page 65, line 17), as specified in claim 6; multiple account processing material is integrated into the presentation, as specified in claim 7; asset processing material is integrated into the presentation (page 15, line 5), as specified in claim 8;

Regarding claim 7, Official notice is taken that accounting system comprises a plurality of accounts.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Loftin in view of Rachlin in order to accommodate a specific need i.e., teaching accounting. Applicants have merely taken a known subject and adapted to be taught using a computer, which Loftin discloses broadly that computers can be used to teach subjects.

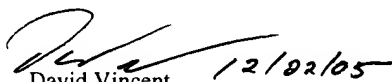
### **CONCLUSION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai T. Tran whose telephone number is (571) 272-4238. The examiner can normally be reached on M-F 9:00am-- 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.T.T  
Patent Examiner  
Date: 12/20/2005

  
David Vincent 12/22/05  
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